

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of Noha Raqron Harris James, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

RICKY JAMES HARRIS,

Respondent-Appellant,

and

HEATHER BETH KEENE,

Respondent.

UNPUBLISHED

August 17, 2004

No. 253885

Cass Circuit Court

Family Division

LC No. 02-000638-NA

Before: Hoekstra, P.J., and Cooper and Kelly, JJ.

MEMORANDUM.

Respondent Ricky Harris James appeals as of right the order terminating his parental rights. We affirm.

Under MCL 712A.19b(3), the petitioner for the termination of parental rights bears the burden of proving at least one ground for termination. *In re Trejo Minors*, 462 Mich 341; 617 NW2d 407 (2000). Once the petitioner has presented clear and convincing evidence that persuades the court that a ground for termination is established, termination of parental rights is mandatory unless the court finds that termination is clearly not in the child's best interests. *Id.* at 355-356. Decisions terminating parental rights are reviewed for clear error. *Id.* at 356.

The petition alleged that respondent was convicted of a criminal sexual conduct offense and that continuing the parent-child relationship would be harmful to the child. MCL 712A.19b(3)(n). Respondent concedes that the statutory ground for termination was established. The record is devoid of evidence that termination was not clearly in the best interests of the child. Respondent had minimal contact with the child, and had a history of criminal sexual

conduct and domestic violence. Where respondent failed to make any effort to maintain contact with the child during the proceedings, the court did not clearly err in finding that termination was in the child's best interests.

Affirmed.

/s/ Joel P. Hoekstra

/s/ Jessica R. Cooper

/s/ Kirsten Frank Kelly